

**COOPERATIVE AGREEMENT
BETWEEN
UTAH STATE OFFICE OF REHABILITATION
AND
UTAH DEPARTMENT OF WORKFORCE SERVICES
January 1, 2007 to December 31, 2011**

I. Purpose

The purpose of this agreement is to ensure that all individuals with disabilities will have equal access to workforce investment activities designed to assist them in preparing for and obtaining employment.

This document is provided as a Special Provision to the Memorandum of Understanding State of Utah One Stop Partners. The document provides specific guidelines for the coordination of services to people with disabilities between the Utah State Office of Rehabilitation (USOR) and the Department of Workforce Services (DWS).

II. Introduction

The Workforce Investment Act (WIA) of 1998 mandates USOR and DWS to develop a partnership with each other, along with other agencies, organizations, and employers to form Utah's Workforce Development System. In 2000, the designated agencies' Executive Directors signed a Cooperative Agreement for a five-year period. This agreement is to update this Cooperative Agreement, maintaining existing linkages and expanding them as needed. Notable is that, though required beginning in 1998; many linkages between these agencies and employers have been in place for a number of years prior to the WIA-mandated agreement.

As a group, individuals with disabilities represent the most underemployed and unemployed segment of society. The National Center for Health Statistics indicates that over 22 million working age Americans are disabled in such a way as to limit their ability to work. In Utah, there are approximately 90,000 individuals with disabilities who fall into this classification. A study by the Institute for Health and Aging reported that, nationally, the labor force participation rate for people with disabilities in 2000 was 27.0 percent, compared to 81.7 percent for people without disability. According to the 1998 Harris Survey of Americans with Disabilities, "only three in ten working age adults with disabilities are employed full or part time . . . even though almost three out of four who are not working say that they would prefer to be working."

To address these needs, DWS and USOR must collaborate to ensure that Utahns with disabilities will have the appropriate, cost-effective, and accountable service system they need to obtain competitive employment.

III. Equal and Effective Access

USOR and DWS have the goal to provide Utah job seekers with disabilities equal and effective access to services offered through Utah's Workforce Development System. In order to achieve this goal, it is essential that USOR and DWS work together effectively as partners.

As partners, USOR and DWS agree to give job seekers with disabilities equal and meaningful access to Utah's Workforce Development System. This partnership will ensure that Utah job seekers with disabilities can access the type and level of service they need to obtain and maintain employment. The following provides the process to ensure physical and programmatic accessibility to DWS Employment Centers for people with disabilities.

1. Accessible Employment Centers: As the operator of Utah's Employment Centers, DWS agrees to operate under the requirements of the Americans with Disabilities Act (ADA); Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disability, Additionally, both parties agree to comply with Section 188 of the Workforce Investment Act, and Title VI of the Civil Rights Act as well as guidance regarding services and access for persons with limited English proficiency, to the extent they apply to for coordinated services from both parties. Specific guidance is provided at Part IV, Department of Labor, Federal Register/Volume 68, No. 103, issued Thursday, May 29,2003, and the Department of Health and Human Services Federal Register/Volume 65, No. 169, August 30, 2000. This agreement shall not be construed as an express or implied waiver of any immunities the State of Utah or DWS enjoys from lawsuits brought under the provisions of the ADA.

When requested, USOR will provide DWS with technical assistance concerning:

- a) The evaluation of accessibility to Employment Centers
- b) Modification to achieve accessibility
- c) Acquisition of accessible equipment and materials
- d) Obtaining auxiliary aids and services

Any costs associated with bringing Employment Centers into compliance with ADA will be the responsibility of DWS.

2. Program Accessibility: Utah job seekers with disabilities shall have equal access to the type and level of Employment Center services that are determined appropriate for their individual employment needs and circumstances. This will be accomplished by implementing the following cooperative efforts by USOR and DWS:

- a) Co-location: When appropriate and possible, USOR and DWS agree to physical co-location within Utah's Employment Centers. Agency staff that is co-located in partner agency centers will remain under the operational control of their parent agency.

In Employment Centers where co-location does not occur, DWS and USOR agree to the establishment of electronic linkages and referral processes between the two entities.

- b) Employment Center Liaison: USOR will assign a staff liaison for each of Utah's Employment Centers. The liaison will work closely with a DWS appointed Employment Center liaison to facilitate an effective working partnership between USOR and DWS. The liaison duties will include partnership building, first line problem resolution, coordination of cross training activities, communication between USOR and the Employment Center, coordination of technical assistance concerning vocational rehabilitation services, coordination of referrals and staffing of mutual consumers.
- c) Referral Process: The pathway for accessing these services is through an Employment Center information specialist or employment counselor, or by electronic referral to the Employment Center by a USOR vocational rehabilitation counselor. DWS will ensure that the customer prior to the referral to the USOR representative will sign the appropriate referral forms, DWS 115 and the DWS 360, see Attachment A & B.

Job seekers with disabilities who, by necessity or informed choice, pursue the specialized services of the vocational rehabilitation program to reach their employment goals will be referred to the said program. The pathway for accessing vocational rehabilitation services will be through a DWS Employment Center employee electronically referring appropriate vocational rehabilitation candidates. This typically will occur when an Employment Center information specialist or an employment counselor determines that the job seeker with a disability needs intensive level services that can best be met by services offered through the state vocational rehabilitation program. After referral and determination of eligibility, USOR will be responsible for providing services according to federal regulations.

- d) Services Provision: Services to eligible job seekers with disabilities who can achieve their employment goals through provision of services from DWS and/or USOR will be provided in accordance with respective federal regulations, policy, and procedures of each agency. DWS staff will provide DWS Employment Center services. These

services include core services, intensive services, and training services as funding allows. For eligible job seekers, required Rehabilitation services will be provided through the Vocational Rehabilitation program. These services include eligibility determination for vocational rehabilitation services, development of an Individual Plan for Employment (IPE) and provision of services as identified under the IPE. In addition, USOR will provide computer access to eligible job seekers in order for them to register for DWS services using the DWS website.

- e) Brochure and Materials Exchange: In each of Utah's Employment Centers, DWS will provide space for USOR program materials and the Client Assistance Program (CAP) materials. USOR and CAP will be responsible for restocking those materials as needed.
- 3. Equal and Effective Access (or Choose to Work Utah) To help ensure equal and effective access to the Workforce Development System, USOR and DWS have jointly implemented job development and placement services for Utah job seekers with disabilities. With joint funding from USOR and DWS, the Choose To Work Utah project each have FTEs to provide statewide individualized job development and placement services to individuals with disabilities referred from either agency. With the success of Choose to Work services, as demonstrated by a five-year Rehabilitation Services Administration grant, USOR and DWS co-directors administer the project. Each Choose to Work staff member's wages are paid either by USOR or DWS. Regardless of the source of the funding, each staff member provides services to customers or clients from both agencies. Liaisons with each agency will provide periodic evaluations and reports to agency executive directors. This is a significant partnership. If success continues and funds are available, Choose to Work will be jointly funded for continuance at the completion of scheduled evaluations.

IV. Cross Training

In order to have effective coordination of services to people with disabilities, it is essential that DWS and USOR staff have a functional understanding of each other's programs and services. In order to achieve this understanding DWS and USOR will develop a cross training package.

USOR and DWS will develop a cross-training curriculum for current and new DWS and USOR staff statewide. This cross-training will increase the understanding by each agency's staff concerning available services and supports, which will result in enhanced coordination and effectiveness of services to job seekers with disabilities. The curriculum will at a minimum contain an overview of the following:

1. Each agency's basic mission and philosophy
2. Types of services available to customers including customers with disabilities
3. Eligibility requirements of each agency
4. Referral process to each agency's programs and services.

The cross training will also convey the expectation of a consistent statewide implementation of policy and encourage continuous improvement of local pathways for service delivery.

Training will be available on line. All Employment Counselors and Vocational Rehabilitation Counselors will be expected to become familiar with the information. DWS and USOR will identify the responsible staff to provide curriculum development and presentation of the training curriculum. Completion of the curriculum, including distribution to and review by staff, will be accomplished by July 2007.

V. Information Systems Linkage

To avoid duplication and enhance service delivery to job seekers with disabilities, DWS and USOR will coordinate their electronic information systems in the following manner:

1. Wage and Benefits Information Screen: USOR and DWS have finalized an information exchange agreement that provides USOR with specified information from the Wage and Benefits database. DWS has produced an electronic report that provides specified Wage and Benefits information on the requested individuals to USOR. USOR has paid for all programming, materials and staff costs concerning this report. Providing key contact information to counselors in both agencies for joint clients will further enhance this information exchange. In addition, this information exchange will be modified as needs are identified between agencies.
2. Cooperative Access to the State of Utah Wide Area Network: USOR and DWS will assist staff who are temporarily serving customers in the other agency's office by providing access to the State WAN for Internet connection. Each agency would be responsible to provide computer data jacks capable of connecting to their respective WAN resources.
3. UWORKS Cooperative Agreement: UWORKS has been designated as the computer system for Choose to Work services. As a result of this designation, DWS agrees to provide limited access to the UWORKS system for USOR employees with a need to access the system. Limited access is defined as a view capability, search information and developing employment plans. This includes Choose to Work staff, supervisors and administrators. To obtain access, USOR employees must complete a 3rd Party Request Form, Attachment C, and be approved by the appropriate DWS authority. USOR and its employees agrees to the adhere to the DWS computer security policy statement in Attachment C. DWS agrees to provide access information and training on the appropriate UWORKS

functions to approved USOR employees.

VI. Cooperative Efforts with Employers

The involvement of Utah's employers in the Workforce Development System is critical to increasing employment opportunities for job seekers with disabilities. USOR and DWS will develop and implement programs and activities as funding allows, demonstrating to Utah's employers the benefits of including people with disabilities in the workforce. These activities include:

1. Continued development and implementation of a statewide employer network system where employers can exchange information and experiences in hiring, best practices and success managing individuals with disabilities.
2. Continuing to provide disability awareness services to Utah employers. These services include disability sensitivity training, in addition to disability and employment information. When requested by DWS, USOR will provide disability awareness services to employers selected by DWS.
3. Conducting public relations activities to increase employer and public awareness of the benefits of employing individuals with disabilities.
4. In coordination with the Governor's Committee for Employment of People with Disabilities, continuing to conduct statewide employer recognition activities to encourage hiring individuals with disabilities.
5. Supporting growth of the Utah Business Employers Team throughout the state of Utah, as a means of employers connecting with each other to foster employment for people with disabilities.

VII. Board and Council Participation

The involvement of USOR on the State Workforce Investment Board and Regional Councils is essential to ensure customers with disabilities are represented.

1. The Executive Director of USOR will serve and participate as a full member of the State Workforce Investment Board, also known as the State Council on Workforce Services.
2. Representatives from USOR will be selected and participate as standing members of each DWS Regional Council on Workforce Services.
3. A representative from the State Workforce Investment Board will serve and participate as a standing member of the USOR State Rehabilitation Council.

VIII. Cost Allocation

In Utah Employment Centers where USOR vocational rehabilitation staff are housed, USOR will participate in the operational costs of the center based on a mutually accepted cost allocation method which is proportionate to use and allocable according to OMB cost principles.

IX. Dispute Resolution

When issues arise that cannot be resolved at the Employment Center level, the following provides the process by which these issues will be resolved.

1. Consumer/Customer Grievances: When customers have grievances, they will be informed of the grievance procedure of DWS or the Employment Center Partner that provided the service. DWS and the Employment Center Partners will be responsible for ensuring that the customer is provided with all applicable information about their grievance procedures and pathways. DWS and the Employment Center partners will have information posted in visible locations informing customers of their rights and responsibilities and will provide brochures that also contain information regarding complaints and grievance processes and procedures and customer rights and responsibilities.
2. Issue Resolution Between USOR and DWS: Operational procedural issues and disputes will be resolved, when possible, by the USOR designated Employment Center liaison and the Employment Center Manager. Disputes that cannot be resolved at the local level will be channeled to designated USOR and DWS administrative staff.

X. Time Frame

This cooperative agreement shall cover the time period beginning January 1, 2007 and ending December 31, 2011.

XI. Amendments

Amendments to this agreement may be requested and may be made at anytime upon approval of the Executive Director of USOR and the Executive Director of DWS.

XII. Signatures

A handwritten signature in blue ink, appearing to read "Don Uchida", written over a horizontal line.

Don Uchida, Executive Director
Utah State Office of Rehabilitation

2-13-07
Date

A handwritten signature in black ink, appearing to read "Tani Pack Downing", written over a horizontal line.

Tani Pack Downing, Executive Director
Department of Workforce Services

2-14-07
Date



State of Utah
Department of Workforce Services
**EXCHANGE OF INFORMATION &
CONSENT FOR COORDINATED SERVICES**
Attachment A

Date Received

PID#: _____

Name (print) _____ Case Number _____

I understand that my records are protected under the State and Federal regulations as well as professional codes of ethics governing confidentiality and cannot be disclosed without my written consent, unless otherwise provided for in the State and Federal regulations.

I authorize the exchange of information only to the agencies listed below with the restriction that the information cannot be passed on to any other person or entity..... Yes No

- | | | |
|--|--|--|
| <input type="checkbox"/> Division of Child & Family Services | <input type="checkbox"/> Division of Youth Corrections | <input type="checkbox"/> State\Local Health Dept. |
| <input type="checkbox"/> Division of Services for People with Disabilities | <input type="checkbox"/> Juvenile Court | <input type="checkbox"/> Substance Abuse Treatment Providers |
| <input type="checkbox"/> Job Corps | <input type="checkbox"/> Local Mental Health Providers | <input type="checkbox"/> Vocational Rehabilitation |
| | <input type="checkbox"/> School Districts | |
| | <input type="checkbox"/> Other _____ | |

The information is to be released for the following purpose only: to provide a variety of services to myself and/or my family. In order to provide these services, representatives of public and private agencies may be working together with a family advocate as a team and may need to share information about me/my family with each other.

Family Members	Social Security Number	Date of Birth

The above mentioned individuals require services from a number of agencies and providers to meet their medical, social, educational, and other needs. There is a reasonable indication that the above mentioned child(ren) will access needed services only if assisted by a qualified Case Manager who locates, coordinates, and regularly monitors the services in accordance with an *individualized employment plan*..... Yes No

Signature of Customer _____ Date _____

Signature of Parent or Guardian _____ Date _____

Distribution: Original: Customer file Copy 1: Customer Copy 2: Coordinating Agency

Equal Opportunity Employer Program

Auxiliary aids and services are available upon request to individuals with disabilities by calling (801) 526-9240. Individuals with speech and/or hearing impairments may call Relay Utah by dialing 711. Spanish Relay Utah: 1-888-346-3162

RECORD SHARING PROTOCOL FOR COOPERATING AGENCIES

Attachment A

Customer Choice:

Explain to the customer the process they may take if they need services outside DWS, (for example, DWS employees are able to facilitate those services, however the customer's permission is required prior to contacting other service providers on the customer's behalf). Explain to the customer the collaborative approach is available, but the customer may elect to secure services by contacting individual agencies.

Use of Forms:

Use the Exchange of Information & Consent for Coordinated Services form to begin the process of coordinating services for a customer or family. Do not use this form for families involved in CCS (Collaborative Coordinated Services). (For CCS families, use the statewide CCS Release of Information form issued through the Governor's office.)

Coordination of Services:

In an attempt to coordinate services for a family or individual, Employment Counselors will share information to reduce customer time spent completing general information forms or multiple assessment instruments.



Attachment B
UTAH'S PARTNERSHIP
REFERRAL FOR SERVICES

Date: _____

Customer's Name: _____

Address: _____ Zip Code: _____

Phone: _____ Alternative Phone: _____

Referred To:

Organization	Address	City	Zip Code
_____	_____	_____	_____

Contact Person: _____ Phone: _____ Ext: _____

- Referred For:
- Assessment
 - Family Services
 - Education/Training
 - Counseling, Personal
 - Veteran's Services
 - Placement/Job Development
 - SSI/SSDI
 - Medical Services
 - Financial Assistance
 - Housing
 - Abuse Advocate
 - Vocational Rehabilitation
 - Transportation
 - Food Assistance
 - Energy Assistance
 - Legal Services
 - Crisis Intervention
 - Other

Specify: _____

List of other Agencies Referred To: _____

Referring From:

Organization	Address	City	Zip Code
_____	_____	_____	_____

Referred By: _____ Phone: _____ Fax: _____

Response Requested: • Yes • No Comments: _____

- Attachments (if applicable):
- Release of
 - Payment
 - Assessments
 - Medical Records
 - Intake/Eligibility
 - Other: _____
 - Employment Plan

Note to the Customer: **"THIS IS A REFERRAL ONLY!"** Services will be determined by the provider according to agency guidelines.

STATE OF UTAH
Department of Workforce Services
DWS 3RD PARTY ACCESS REQUEST FORM
ATTACHMENT C

(e-mail) DWS_DATA_SECURITY@utah.gov (Shared phone) 801-526-4357 (ext 2) (Fax) 801- 526-9288

USER INFORMATION

(print) **WORK**
NAME _____ PHONE (_____) _____ - _____ Last 4 digits of SSN _____
(First) (I) (Last)

Current Mainframe Log-on ID: _____ **Previous State Employment** [] **Previous Logon id:** _____

Contract/Agreement: _____

Business Office and Location: _____

New/Re-instated [] **Delete User** [] **Access Change** []

Effective Date ___/___/___ (Default is date received) **Until date** ___/___/___ (Temporary use)

ACCESS REQUESTING

PACMIS QUERY: [] **IMAGING/CONTENT MANAGER VIEW:** []

UWORKS [] **Job Title:** _____ **Office:** _____ **Team:** _____

LAN LOGON ID: _____ **LAN CONTEXT:** _____

E-MAIL ADDRESS: _____

CICS TRANSACTION(S): _____

WAGE DATA [] **UNEMPLOYMENT BENEFIT SUMMARY** []

OTHER SPECIAL ACCESS: _____

For REFERENCE ONLY, please, indicate another similar 3rd party user with same requested access.

Special instructions/comments:

Read and Sign the Security Agreement on the Back of This Form

Security Only: GROUP: _____	Log id: _____
DWS Disclosure Officer Signature: _____	Date _____
DWS Security Officer Signature: _____	Date _____

DWS COMPUTER SECURITY POLICY STATEMENT

Computer system resources and information of the Department of Workforce Services are information technology assets of the State of Utah and must be protected. This includes protection from **unauthorized disclosure**, modification, or destruction, whether accidental or intentional.

Managers, employees, or users of information technology assets are subject to all requirements and sanctions of Federal and State statute, and administrative rules. Policies and procedures regarding proper use, ethics and conduct while using information technology assets either purchased or developed must also be followed.

Proper use is defined as employees, contractors, outside agencies and volunteers being responsible to see that State information technology assets are used in an effective, ethical and lawful manner.

Users of electronic mail, voice mail, and facsimile, as applicable, must be aware that they are non-confidential means of electronic Messaging and/or document exchange for government related use and are subject to monitoring. Brief personal messages will be allowed; as long as these messages are not too excessive, do not interfere with the normal conduct of business, do not involve solicitation, do not involve a for-profit personal business activity, or have the potential to embarrass the DWS. Users must be aware of the value and sensitivity of the information they are sending and may need to select a more conventional and secure method of delivery. Items such as chain letters are **not** to be forwarded via **any** State communication/distribution systems (electronic or otherwise).

DWS employees who maintain additional commercial software on their workstations, i.e., local disk drives or other write able media must do so in compliance with all licensing and copyright laws. The employee must also maintain documentation to identify inventory and ownership information. Prior to loading any software, you must contact your local LAN Administrator.

Each employee is encouraged to review the State of Utah Information Technology Resources Acceptable Use Policy for further information. This document can be found on the Internet at http://dws.utah.gov/Infosource/DWSAdminPolicy/DWS_Administrative_Policy_Manual.htm under 1700 Information Technology; also, review Administrative Rules found at <http://www.rules.utah.gov/publicat/code/r895/r895.htm>; or copies can be obtained from the Office of Technology, Security Group.

Access to State IT resources is given on a need-to-know basis only. This is authorized only by certified owners of the specific resource. Any unauthorized or improper use of networks, files, software, or providing access to others by disclosing access codes, passwords, and/or leaving active workstations unattended, etc., may result in corrective action and discipline in accordance with Utah Administrative Rule R477-9-1, or Utah Administrative Code, R477-11 found at Internet address: <http://www.rules.utah.gov/publicat/code.htm> and may include prosecution under state and federal statues. Access, including queries, are logged and stored.

I understand there are confidentiality regulations that govern DWS. I understand that I will be provided direction and/or training on various confidentiality and disclosure requirements and that my supervisor can provide information and direction. I will only use the information for purposes specifically authorized in the contract or agreement between my agency and the Department of Workforce Services. I agree to comply with program confidentiality requirements specified in that contract or agreement.

I have read and understand the State of Utah Information Technology Resources Acceptable Use policy and agree to abide with all conditions contained within. I have also read and agree to all of the provisions outlined in this security policy statement.

USER SIGNATURE _____ DATE _____

USER NAME (print) _____

SUPERVISOR NAME (print) _____ PHONE _____

SUPERVISOR SIGNATURE _____ DATE _____

****SUPERVISOR'S SIGNATURE IS ACKNOWLEDGING THIS INDIVIDUAL HAS BEEN TRAINED IN DWS CONFIDENTIALITY AND NON-DISCLOSURE POLICIES. ****

APPROVING AUTHORITY NAME (print) _____ PHONE _____

APPROVING AUTHORITY SIGNATURE _____ DATE _____

*****Supervisors or the Approving Authority must notify the Technical Support Specialist at their location and WIT Security**

when an employee's access to IT resources must be removed because of termination, transfer, or other reasons.

Revised. 10/11/06